

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Official Action dated July 26, 2004. In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

Claims 1-4 , 7-13 and 17-19 are under consideration in this application. Claim 1 is being cancelled without prejudice or disclaimer. Claims 2-7 and 9-10 are being amended, as set forth above and in the attached marked-up presentation of the claim amendments, in order to more particularly define and distinctly claim Applicants' invention.

Additional Amendments

The claims are being amended to correct formal errors and/or to better disclose or describe the features of the present invention as claimed. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

Formality Rejection

Figs. 1-5, the specification and claims 1, 3, 6 and 10 were objected to due to various informalities and the Examiner has requested correction thereof. As indicated, the drawings, the specification, and the claims are being amended for clarification. Accordingly, the withdrawal of the outstanding informality rejection is in order, and is therefore respectfully solicited.

Allowed Subject Matters

Claim 2 would be allowed if it is rewritten in independent form to include limitations of the base claim and intervening claims. As claim 1 is being incorporated into claim 2, and the claims originally depending from claim 1 now depend from claim 2, all existing claims are in condition for allowance.

Prior Art Rejections

Claims 1, and 3-11 were rejected under 35 U.S.C. § 102(e) on the grounds of being anticipated by Gill (6,275,363). The prior art references of Kawato (6,657,823), and Li et al. (6,680,827) were cited as being pertinent to the present application. As claim 1 is being cancelled without prejudice or disclaimer and claim 3-11 are being amended to depend from claim 2, the rejection thus become moot.

Double Patenting

The Examiner rejected claims 1-11 under the judicially-created doctrine of obviousness-type double patenting in view of claims 1-9 of US Patent No. 6,657,823. Although the claims are not exactly identical, the Examiner considered the claims not patentably distinct from claim 1 of the '823 patent.

A Terminal Disclaimer is being submitted concurrently herewith according to the Examiner's suggestion. Accordingly, the withdrawal of the outstanding double patenting rejection is in order, and is respectfully solicited.

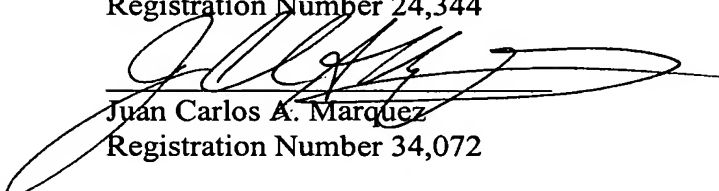
Conclusion

In view of all the above, clear and distinct differences as discussed exist between the present invention as now claimed and the prior art reference upon which the rejections in the Office Action rely, Applicant respectfully contends that the prior art references cannot anticipate the present invention or render the present invention obvious. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicant's undersigned representative at the address and phone number indicated below.

Respectfully submitted,

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SPF/JCM/JT

IN THE DRAWINGS:

Please enter the attached corrected drawings Figs. 1-6, in which a legend of "Prior Art" is being added to Figs. 1-5, and the reference line for "28a" is correctly directed in Fig. 6, to replace Figs. 1-6 as originally filed. A Letter to Draftsperson is also submitted herewith.